

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	
)	8:08CR335
Plaintiff,)	
)	
vs.)	ORDER
)	
JAMES E. SMITH, III,)	
)	
Defendant.)	

This matter is before the court on the motion of Assistant Federal Public Defender Jeffrey L. Thomas and the Office of the Federal Public Defender to withdraw as counsel for the defendant, James E. Smith, III (Smith) (Filing No. 16). Mr. Thomas represents he has a conflict of interest in this matter. Mr. Thomas's and the Office of the Federal Public Defender's motion to withdraw (Filing No. 16) is granted. Clarence E. Mock, P.O. Box 62, Oakland, NE 68045-0062, (402) 685-5647, is appointed to represent Smith for the balance of these proceedings pursuant to the Criminal Justice Act. Mr. Thomas shall forthwith provide Mr. Mock with the discovery materials provided the defendant by the government and such other materials obtained by Mr. Thomas which are material to Smith's defense.

The clerk shall provide a copy of this order to Mr. Mock, and he shall file his appearance forthwith.

IT IS SO ORDERED.

DATED this 30th day of October, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge